

EXHIBIT 8

EcoFactor, Inc. v. ecobee, Inc.

**EcoFactor Expert Erik de la Iglesia
Analyzing Infringement by ecobee**

Case Nos. 6:20-cv-00078 and 6:21-cv-00428

United States District Court

Western District of Texas (Waco)

Judge Alan D. Albright

'890 Patent, Claim 1[f]

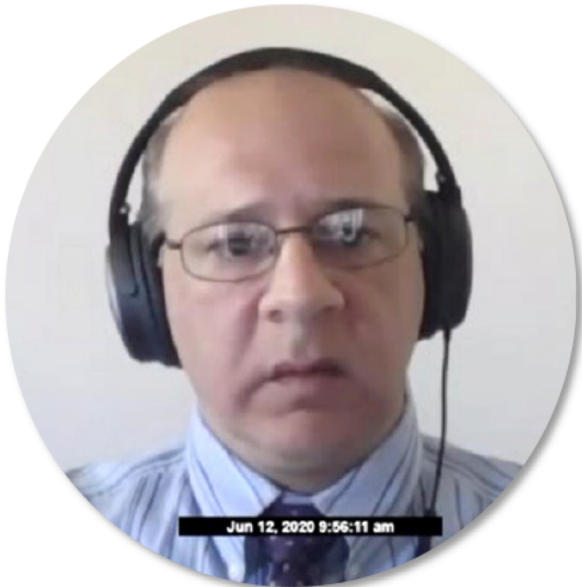
1[f] one or more processors configured with electronic circuitry to:

Q.

A.

Q.

A.



Mark Malchiondo

*Co-founder,
VP of Software Development*



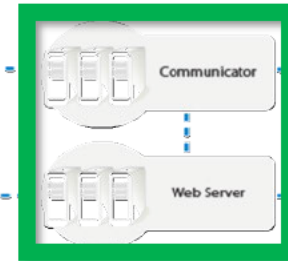
The following simplified diagram summarizes the flow of data between all ecobee network components.

Thermostat



INTERNET

Server



'890 Patent, Claim 1[h]

1[h] a second data parameter from a network connected to the thermostat, wherein the second data parameter comprises an **outside weather condition** collected from a source external to the building;

Thermostat processor and server processor each receive outside temperature measurements



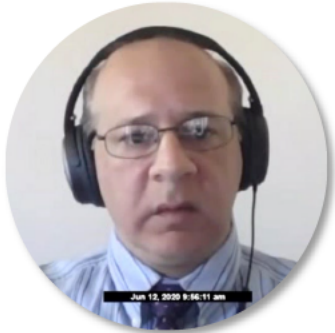
- [REDACTED]
- All ecobee thermostats display **current outside temperature** and forecast information
- [REDACTED] —which is [REDACTED]

'890 Patent, Claim 1[I]

1[I] receive geo-positioning data from the location-aware mobile device and automatically adjust a temperature value based on the geo-positioning data, including initiating at least one cooling or heating cycle for the HVAC system when the geo-positioning data is determined to indicate that the building is unoccupied by the user;

ecobee also infringes part [i] of claim 1[I] under the Doctrine of Equivalents

No substantial difference between



Mark Malchiondo

*Co-founder, VP of
Software Development*



Q.

A.

Q.

A.

'890 Patent, Claim 1[I]

1[I] receive geo-positioning data from the location-aware mobile device and automatically adjust a temperature value based on the geo-positioning data, including initiating at least one cooling or heating cycle for the HVAC system when the geo-positioning data is determined to indicate that the building is unoccupied by the user;



Mark Malchiondo

*Co-founder,
VP of Software Development*



Q.

[REDACTED]

A.

[REDACTED]

Q.

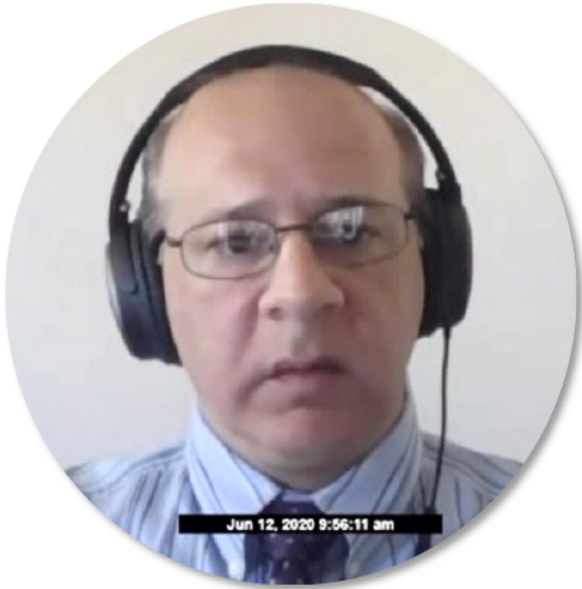
[REDACTED]

A.

[REDACTED]

'890 Patent, Claim 1[I]

1[I] receive geo-positioning data from the location-aware mobile device and automatically adjust a temperature value based on the geo-positioning data, including initiating at least one cooling or heating cycle for the HVAC system when the geo-positioning data is determined to indicate that the building is unoccupied by the user;



Mark Malchiondo

*Co-founder,
VP of Software Development*



Q.

[REDACTED]

A.

[REDACTED]

Q.

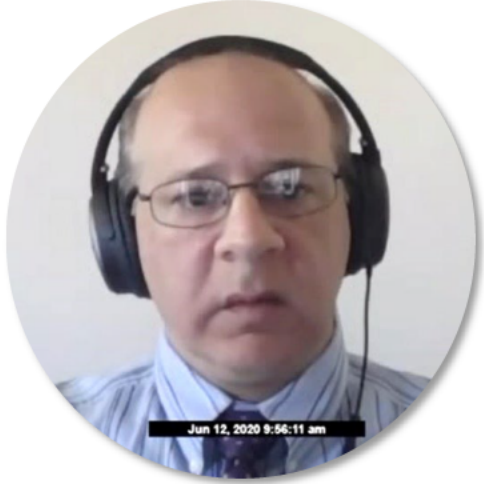
[REDACTED]

A.

[REDACTED]

'890 Patent, Claim 1[m]

1[m] electronic circuitry configured to allow the user to adjust a desired temperature for the HVAC system;



Mark Malchiondo

*Co-founder, VP of
Software Development*



Q.

[REDACTED]

A.

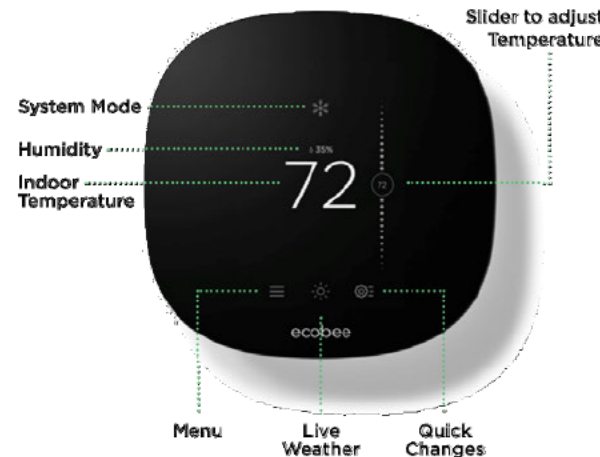
[REDACTED]

Q.

[REDACTED]

A.

[REDACTED]



Quick Changes

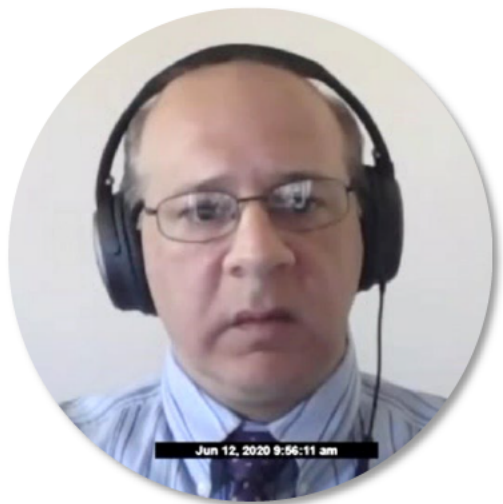
Touch this button to easily switch from Home and Away

Slider to adjust Temperature

Slide the bubble up or down to adjust your preferred temperature

'890 Patent, Dependent Claim 10

10 The thermostat system of **claim 1**, wherein the one or more processors is further configured to predict, based at least on the first data parameter, the second data parameter, and the first temperature setpoint data parameter, the time necessary for the HVAC system to operate in order for the building to reach the first temperature value by the first time value.



Mark Malchiondo

*Co-founder,
VP of Software Development*



Q.

A.

Q.

A.